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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|------------------------|---------------------|------------------|
| 10/618,825 | 07/14/2003 | Eric Krantz-Lilienthal | 0223A | 5890 |

112 7590 09/23/2005

ARMSTRONG WORLD INDUSTRIES, INC.
LEGAL DEPARTMENT
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LANCASTER, PA 17604-3001

EXAMINER

CHAPMAN, JEANETTE E

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

3635

DATE MAILED: 09/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--|---|--|
| Office Action Summary | Application No. 10/618,825 | Applicant(s) KRANTZ-LILIENTHAL ET AL. | |
| | Examiner Chapman E. Jeanette | Art Unit 3635 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/29/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-21, 23, 24, 28 and 29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20, 21, 23 and 24 is/are allowed.
- 6) ☒ Claim(s) 1, 3, 8-12, 16-19, 28 and 29 is/are rejected.
- 7) ☒ Claim(s) 2, 5-7 and 12-15 is/are objected to. *JC*
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>PATENT COPY W/ANNOTATIONS</u> |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 8-11,12, 16-19 and 28-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Fontaine (6880302). Fontaine discloses an apparatus for securing a boarder ceiling panel 1 in a suspended ceiling system having a plurality of suspension elements 3/4, the apparatus comprises:

- A metal boarder structure 2, for attachment of the panel 1 to the suspension element 3
- A plurality of horizontal and vertical members; see annotations on patent copy
- A horizontal member 14/15 is inserted into a hanger section 4 secured to a suspension element 3
- Another horizontal surface 17 supports a panel 1
- The boarder panel 1 has a cut end a cut end, near “A” supported by the boarder structure 2
- An uncut end supported by a grid element 108 which is attached to a suspension element 3 by the frame/boarder 2
- A spring clip 18 keeping the cut end of the boarder panel 1 from displacement from the boarder structure 2

One of ordinary skill in the art would have appreciated various methods of forming the boarder structure such as from a sheet or by an extrusion method and would have selected any form/method providing the intended structure, purpose and function.

For claims 11-12, 16-19 and 28-29

Fontaine discloses a suspension system for securing ceiling panels at a ceiling trim location, the system comprises:

- A horizontal suspension element 3
- A plurality of hangers 4 attached to the suspension elements
- A boarder structure 2 supporting a first end of a ceiling panel
- The boarder structure being supported by the suspension element 3
- An grid element 108 supporting a second end of a ceiling panel;
- the grid element 108 is supported by the suspension element 3 by the boarder structure 2
- the hangers 4 attach the boarder 2 and the grid 108 to the suspension element 3
- A plurality of horizontal and vertical members; see annotations on patent copy
- A horizontal member 29/14/15 is inserted into a hanger section 4 secured to a suspension element 3
- The boarder is supported by the suspension element 3
- The boarder panel 1 has a cut end a cut end, near "A" supported by the boarder structure 2

- An uncut end supported by a grid element 108 which is attached to a suspension element 3 by the frame/boarder 2
- A spring clip 18 keeping the cut end of the boarder panel 1 from displacement from the boarder structure 2

The boarder structure may be located in any location where it is needed or most appropriately placed such as against or spaced from a wall. Applicant is not claiming a method of use but an article.

Claims 2, 5-7, ~~12~~³-15 are objected to as being dependent upon a rejected claim but would be considered allowable if amended to include the base claim and any independent claim.

Claims 20-21, 23-24 are allowable over the prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chapman E Jeanette whose telephone number is 571-272-6841. The examiner can normally be reached on Mon.-Fri, 8:30-6:00, every other fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Friedman Carl can be reached on 571-272-6842. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jeanette Chapman
Primary Examiner

PATENT COPY W/ANNOTATIONS

